

AMENDED

ASSIGNED
Serial No. **49368**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office SEP 6 1985
Returned to applicant for correction SEP 23 1985
Corrected application filed OCT 1 1985 Map filed OCT 1 1985

The applicant Lands of Sierra, Inc.

50 West Liberty Street - Suite 720 of Reno
Street and No. or P.O. Box No. City or Town

Nevada 89501 hereby make application for permission to change the
State and Zip Code No.

point of diversion and place of use of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 36369
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.)

1. The source of water is Middle Twelve Mile Well
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 3.0 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, T 41 N, R 68 E,
Describe as being within a 40-acre subdivision of public survey and by course and
MDM, at a point from which the N $\frac{1}{4}$ cor of Sec. 35, T 42 N, R 68 E,
distance to a section corner. If on unsurveyed land, it should be stated.
MDM bears N 41° 15' W 9,450 feet
6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot1) Section 7, T 40 N,
If point of diversion is not changed, do not answer.
R 69 E, MDM, at a point from which the NE corner of said Section 7
bears N 85° 00' E, 4850 feet
7. Proposed place of use Portions of S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T 41 N,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
R 68 E, MDM and portions of S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6 and N $\frac{1}{2}$
NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, all in T 41 N, R 69 E, MDM - totaling
180 acres
8. Existing place of use NE $\frac{1}{4}$ & N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, T 40 N, R 69 E, MDM -
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
totaling 180 acres
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well equipped with
State manner in which water is to be diverted, i.e. diversion structure, ditches,
motor, pump, pipeline and irrigation system
pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$45,000.00
13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

SEE ATTACHED SHEET FOR REMARKS

Please send copies of all correspondence to Richard Moser, Sierra Pacific Power Company, P.O. Box 10100, Reno, Nevada 89510

By s/ Michael Buschelman

Agent

421 Court

Elko, Nevada 89801

Compared jm/se js/bc

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 36369 is issued subject to the terms and conditions imposed in said Permit 36369 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not

to exceed 3.0 cubic feet per second, but not to exceed 540 acre-feet annually, but not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before November 27, 1986

Proof of completion of work shall be filed before December 27, 1986

Application of water to beneficial use shall be made on or before November 27, 1987

Proof of the application of water to beneficial use shall be filed on or before December 27, 1987

Map in support of proof of beneficial use shall be filed on or before December 27, 1987

Completion of work filed JUL 14 1987 IN TESTIMONY WHEREOF, I PETER G. MORROS

State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed

my office, this 12th day of February

Cultural map filed

Certificate No. Issued

A.D. 1986

State Engineer

2407 (Rev. 6-81)

Abrogated By: 53207 3.0 cfs cert. 09/27/01

ATTACHMENT

Re: Serial No. 49368

Lands of Sierra, Inc.

Item 15:

During the review of this amended application, please consider waiving the requirement of the 100 feet of solid casing due to the 35 foot layer of clay that will prevent surface water from entering the casing.

The proposed point of diversion is approximately 300 feet from the Thousand Springs Creek. Historically, under these circumstances, the State Engineer has required a minimum of 100 feet of solid casing be installed to avoid pumping surface water. Some time ago several test wells were drilled in the proximity of this proposed well site by Ray Reynolds of Reynolds Drilling Company of Wells, Nevada. Accurate records were kept and it was found that there is a layer of clay from the surface level to approximately 35 feet in depth. It is the desire of the applicant to construct this proposed well as follows:

0 to 50' in depth will be solid cased & cement grouted

50 to 130' in depth will be perforated casing

130' total depth

